CERTIFICATE OF SERVICE

I am employed in the County of San Francisco, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 505 Montgomery Street, Suite 2000, San Francisco, CA 94111-6538.

On **January 7, 2008**, I served the following document(s) described as:

ADR CERTIFICATION BY DEFENDANT APPLE INC. AND COUNSEL

to the party listed below and in the following manner described preceding each list of recipients:

BY NOTICE OF ELECTRONIC FILING

The following parties were served <u>electronically</u> by simultaneously filing the attached document(s) with the United States District Court, Northern District of California, Case No. 07-05152 JW:

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by serving true copies of the above-described document(s) in the following manner:

BY U.S. MAIL

I am familiar with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service. Under that practice, documents are deposited with the Latham & Watkins LLP personnel responsible for depositing documents with the United States Postal Service; such documents are delivered to the United States Postal Service on that same day in the ordinary course of business, with postage thereon fully prepaid. I deposited in Latham & Watkins LLP's interoffice mail a sealed envelope or package containing the above-described document and addressed as set forth below in accordance with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service:

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1			
1 2	Margaret McGerity, Esq.		
3	FOLKENFLIK & MCGERITY 1500 Broadway, 21st Floor		
4	New York, NY 10036 Telephone: (212) 757-0400		
5	Facsimile: (212) 757-2010 <u>Email</u> : mmcgerity@fmlaw.net		
6	I declare that I am employed in the office of a member of the Bar of, or permitted		
7	to practice before, this Court at whose direction the service was made and declare under penalty of perjury that the foregoing is true and correct.		
8	Executed on January 7, 2008, at San Francisco, California.		
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10	Linda C. Tam		
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